

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BRIAN KEITH ALFORD
Petitioner,

vs.

WARDEN, LEBANON
CORRECTIONAL INSTITUTION,
Respondent.

Case No. 1:11-cv-862

Beckwith, J.
Bowman, M.J.

ORDER

This *pro se* habeas corpus action filed pursuant to 28 U.S.C. § 2254 is before the Court on respondent's motion entitled "Motion To File Additional Parole Hearing Documents Under Seal For *In Camera* Inspection, And To Forgo Service Of Documents To Petitioner." (Doc. 19). Petitioner has filed pleadings opposing the motion. (*See* Docs. 20-21).

In the motion (Doc. 19), respondent states that in accordance with this Court's Order of September 25, 2012 (*see* Doc. 17), a supplemental return of writ was submitted, which included as an exhibit the Ohio Parole Board's Decision on July 20, 2012 denying petitioner parole and continuing his incarceration for 36 months until his next parole hearing on July 1, 2015. (*See* Doc. 19; *see also* Doc. 18, Ex. 1). Respondent also states that no further documents are necessary for the Court to consider. (Doc. 19, p. 2). However, respondent requests that in the event that "findings of the parole board members, and information sheets relied on by the Parole Board" must also be filed, that the Court issue an Order requiring the additional documents, which are not public records and contain "sensitive" information, to be filed under seal for *in camera* inspection only.

The Ohio Parole Board Decision was sufficient for the Court to assess the issue that was remanded for Supplemental Report and Recommendation. Indeed, the undersigned has issued a

Supplemental Report and Recommendation this date on the matter that was remanded by the District Court. Because no additional documents are required to be filed by respondent at this juncture, respondent's motion (Doc. 19) is **DENIED** as moot.

IT IS SO ORDERED.

s/Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge